

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

WASEEM DAKER,

Plaintiff,

v.

SHERRY BLAND, et al.,

Defendants.

CIVIL ACTION NO.: 6:20-cv-90

**REPORT AND RECOMMENDATION**

This matter is before the Court on Plaintiff's Motion for Access to Electronic Legal Materials. Doc. 200. In the Motion, Plaintiff asserts the Warden of Hays State Prison, where he is currently housed, informed him that he could not access his electronic legal materials without a Court order. Id. He asks the Court to order Hays State Prison officials to provide him access to his electronic legal materials. Id.

Plaintiff does not cite any supporting case law in his Motion, nor does he identify what the basis is for his request. However, the Court has previously construed similar motions Plaintiff has filed as requests for preliminary injunction and so construes the current Motion as a Motion for Preliminary Injunction. Indeed, the Court has already denied those nearly identical requests, with the only difference in the current Motion being that Plaintiff is now housed in Hays State Prison. See Docs. 125, 128, 183. Plaintiff does not identify any new facts or authority that would require the Court to change course from its previous rulings. Therefore, I **RECOMMEND** the Court **DENY** Plaintiff's Motion for Access to Electronic Legal Materials,

construed as a Motion for Preliminary Injunction, for the same reasons the Court denied Plaintiff's earlier requests.

Any objections to this Report and Recommendation shall be filed within 14 days of today's date. Objections shall be specific and in writing. Any objection that the Magistrate Judge failed to address a contention raised in the Complaint must be included. Failure to file timely, written objections will bar any later challenge or review of the Magistrate Judge's factual findings and legal conclusions. 28 U.S.C. § 636(b)(1)(C); Harrigan v. Metro Dade Police Dep't Station #4, 977 F.3d 1185, 1192–93 (11th Cir. 2020). To be clear, a party waives all rights to challenge the Magistrate Judge's factual findings and legal conclusions on appeal by failing to file timely, written objections. Harrigan, 977 F.3d at 1192–93; 11th Cir. R. 3-1. A copy of the objections must be served upon all other parties to the action.

Upon receipt of Objections meeting the specificity requirement set out above, a United States District Judge will make a de novo determination of those portions of the report, proposed findings, or recommendation to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the Magistrate Judge. Objections not meeting the specificity requirement set out above will not be considered by a District Judge. A party may not appeal a Magistrate Judge's report and recommendation directly to the United States Court of Appeals for the Eleventh Circuit. Appeals may be made only from a final judgment entered by or at the direction of a District Judge.

**SO REPORTED AND RECOMMENDED**, this 26th day of June, 2023.

A handwritten signature in black ink, appearing to read 'B. Cheesbro', written over a horizontal line.

BENJAMIN W. CHEESBRO  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA